

2 AN AMENDMENT TO BE OFFERED BY  
REPRESENTATIVE CHOCOLA OF  
INDIANA, OR HIS DESIGNEE,  
DEBATABLE FOR 10 MINUTES.

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**AMENDMENT TO H.R. 3973, AS REPORTED**  
**OFFERED BY MR. CHOCOLA OF INDIANA**

Page 2, after line 3, insert the following:

1 **TITLE I—EXTENSION OF DISCRE-**  
2 **TIONARY SPENDING LIMITS**  
3 **AND PAY-AS-YOU-GO RE-**  
4 **QUIREMENTS**

Redesignate sections 2 through 9 as sections 101 through 108, respectively; on page 5, lines 23 and 24, strike “paragraphs” and insert “paragraph”; on page 6, line 5, insert quotation marks after the period and strike line 6 and all that follows thereafter through page 7, line 12; on page 7, line 13, strike “(c)” and insert “(b)”; and on page 7, strike line 25 and insert the following: “covered by subsection (b) or (c) of section 316 of the Congressional Budget Act of 1974”.

At the end, add the following new titles:

5 **TITLE II—ONE-PAGE BUDGET**  
6 **RESOLUTIONS**

7 **SEC. 201. ONE-PAGE BUDGET RESOLUTIONS.**

8 (a) CONTENT OF ANNUAL CONCURRENT RESOLU-  
9 TIONS ON THE BUDGET.—Section 301(a)(4) of the Con-

1 gressional Budget Act of 1974 is amended to read as fol-  
2 lows:

3 “(4) subtotals of new budget authority and out-  
4 lays for nondefense discretionary spending, defense  
5 discretionary spending, direct spending (excluding  
6 interest), interest, and emergencies (for the reserve  
7 fund in section 316(b) and for military operations in  
8 section 316(c));”.

9 (b) ADDITIONAL MATTERS IN CONCURRENT RESO-  
10 LUTION.—Section 301(b) of the Congressional Budget Act  
11 of 1974 is amended as follows:

12 (1) Strike paragraphs (2), (4), and (6) through  
13 (9).

14 (2) After paragraph (1), insert the following  
15 new paragraph:

16 “(2) require such other congressional proce-  
17 dures, relating to the budget, as may be appropriate  
18 to carry out the purposes of this Act;”.

19 (3) At the end of paragraph (3), insert “and”  
20 and redesignate paragraph (5) as paragraph (4) and  
21 in such paragraph strike the semicolon and insert a  
22 period.

23 (c) REQUIRED CONTENTS OF REPORT.—Section  
24 301(e)(2) of the Congressional Budget Act of 1974 is  
25 amended as follows:

1           (1) Redesignate subparagraphs (A), (B), (C),  
2           (D), (E), and (F) as subparagraphs (B), (C), (E),  
3           (F), and (G), respectively.

4           (2) Before subparagraph (B) (as redesignated),  
5           insert the following new subparagraph:

6                   “(A) new budget authority and outlays for  
7                   each major functional category, based on alloca-  
8                   tions of the total levels set forth pursuant to  
9                   subsection (a)(1);”.

10          (3) In subparagraph (C) (as redesignated),  
11          strike “mandatory” and insert “direct spending”.

12          (d) ADDITIONAL CONTENTS OF REPORT.—Section  
13          301(e)(3) of the Congressional Budget Act of 1974 is  
14          amended by striking “and” at the end of subparagraph  
15          (D), by striking the period and inserting “; and” at the  
16          end of subparagraph (E), and by adding at the end the  
17          following new subparagraph:

18                   “(F) reconciliation directives described in  
19                   section 310.”.

20          (e) PRESIDENT’S BUDGET SUBMISSION TO THE CON-  
21          GRESS.—(1) The first two sentences of section 1105(a)  
22          of title 31, United States Code, are amended to read as  
23          follows:

24          “On or after the first Monday in January but not later  
25          than the first Monday in February of each year the Presi-

1 dent shall submit a budget of the United States Govern-  
2 ment for the following fiscal year which shall set forth the  
3 following levels:

4 “(A) totals of new budget authority and out-  
5 lays;

6 “(B) total Federal revenues and the amount, if  
7 any, by which the aggregate level of Federal reve-  
8 nues should be increased or decreased by bills and  
9 resolutions to be reported by the appropriate com-  
10 mittees;

11 “(C) the surplus or deficit in the budget;

12 “(D) subtotals of new budget authority and  
13 outlays for nondefense discretionary spending, de-  
14 fense discretionary spending, direct spending (ex-  
15 cluding interest), interest, and emergencies (for the  
16 reserve fund in section 316(b) and for military oper-  
17 ations in section 316(e)); and

18 “(E) the public debt.

19 Each budget submission shall include a budget message  
20 and summary and supporting information and, as a sepa-  
21 rately delineated statement, the levels required in the pre-  
22 ceding sentence for at least each of the 4 ensuing fiscal  
23 years.”.

1       (2) The third sentence of section 1105(a) of title 31,  
2 United States Code, is amended by inserting “submission”  
3 after “budget”.

4       (f) CONFORMING AMENDMENTS TO SECTION 310 RE-  
5 GARDING RECONCILIATION DIRECTIVES.—(1) Section  
6 310(a) of such Act is amended by striking “A” and insert-  
7 ing “The joint explanatory statement accompanying the  
8 conference report on a”.

9       (2) The first sentence of section 310(b) of such Act  
10 is amended by striking “If” and inserting “If the joint  
11 explanatory statement accompanying the conference re-  
12 port on”.

13       (3) Section 310(c)(1) of such Act is amended by in-  
14 serting “the joint explanatory statement accompanying  
15 the conference report on” after “pursuant to”.

## 16       **TITLE III—EMERGENCIES**

### 17       **SEC. 301. REPEAL OF ADJUSTMENTS FOR EMERGENCIES.**

18       (a) ELIMINATION OF EMERGENCY DESIGNATION.—  
19 Sections 251(b)(2)(A), 252(e), and 252(d)(4)(B) of the  
20 Balanced Budget and Emergency Deficit Control Act of  
21 1985 are repealed.

22       (b) ELIMINATION OF ADJUSTMENTS.—Section  
23 314(b) of the Congressional Budget Act of 1974 is amend-  
24 ed by striking paragraph (1) and by redesignating para-

1 graphs (2) through (5) as paragraphs (1) through (4), re-  
2 spectively.

3 (c) CONFORMING AMENDMENT.—Clause 2 of rule  
4 XXI of the Rules of the House of Representatives is  
5 amended by repealing paragraph (e) and by redesignating  
6 paragraph (f) as paragraph (e).

7 **SEC. 302. OMB EMERGENCY CRITERIA.**

8 (a) DEFINITION OF EMERGENCY.—Section 3 of the  
9 Congressional Budget and Impoundment Control Act of  
10 1974 is amended by adding at the end the following new  
11 paragraph:

12 “(11)(A) The term ‘emergency’ means a situa-  
13 tion that—

14 “(i) requires new budget authority and  
15 outlays (or new budget authority and the out-  
16 lays flowing therefrom) for the prevention or  
17 mitigation of, or response to, loss of life or  
18 property, or a threat to national security; and

19 “(ii) is unanticipated.

20 “(B) As used in subparagraph (A), the term  
21 ‘unanticipated’ means that the situation is—

22 “(i) sudden, which means quickly coming  
23 into being or not building up over time;

24 “(ii) urgent, which means a pressing and  
25 compelling need requiring immediate action;

1           “(iii) unforeseen, which means not pre-  
2           dicted or anticipated as an emerging need; and  
3           “(iv) temporary, which means not of a per-  
4           manent duration.”.

5           (b) CONFORMING AMENDMENT.—The term ‘emer-  
6           gency’ has the meaning given to such term in section 3  
7           of the Congressional Budget and Impoundment Control  
8           Act of 1974.”.

9           **SEC. 303. DEVELOPMENT OF GUIDELINES FOR APPLICA-**  
10           **TION OF EMERGENCY DEFINITION.**

11           Not later than 5 months after the date of enactment  
12           of this Act, the chairmen of the Committees on the Budget  
13           (in consultation with the President) shall, after consulting  
14           with the chairmen of the Committees on Appropriations  
15           and applicable authorizing committees of their respective  
16           Houses and the Directors of the Congressional Budget Of-  
17           fice and the Office of Management and Budget, jointly  
18           publish in the Congressional Record guidelines for applica-  
19           tion of the definition of emergency set forth in section  
20           3(11) of the Congressional Budget and Impoundment  
21           Control Act of 1974.

22           **SEC. 304. RESERVE FUND FOR EMERGENCIES IN PRESI-**  
23           **DENT’S BUDGET.**

24           Section 1105(f) of title 31, United States Code is  
25           amended by adding at the end the following new sen-



1 tences: "Such budget submission shall also comply with  
2 the requirements of subsections (b) and (c) of section 316  
3 of the Congressional Budget Act of 1974 and, in the case  
4 of any budget authority requested for an emergency, such  
5 submission shall include a detailed justification of why  
6 such emergency is an emergency within the meaning of  
7 section 3(11) of the Congressional Budget Act of 1974."

8 **SEC. 305. BUDGETING FOR EMERGENCIES.**

9 (a) EMERGENCIES.—Title III of the Congressional  
10 Budget Act of 1974 is amended by adding at the end the  
11 following new section:

12 "EMERGENCIES

13 "SEC. 316. (a) ADJUSTMENTS.—

14 "(1) IN GENERAL.—After the reporting of a bill  
15 or joint resolution or the submission of a conference  
16 report thereon that provides budget authority for  
17 any emergency as identified pursuant to subsection  
18 (d) that is not covered by subsection (c)—

19 "(A) the chairman of the Committee on  
20 the Budget of the House of Representatives or  
21 the Senate shall determine and certify, pursu-  
22 ant to the guidelines referred to in section 303  
23 of the Spending Control Act of 2004, the por-  
24 tion (if any) of the amount so specified that is  
25 for an emergency within the meaning of section  
26 3(11); and

1           “(B) such chairman shall make the adjust-  
2           ment set forth in paragraph (2) for the amount  
3           of new budget authority (or outlays) in that  
4           measure and the outlays flowing from that  
5           budget authority.

6           “(2) MATTERS TO BE ADJUSTED.—The adjust-  
7           ments referred to in paragraph (1) are to be made  
8           to the allocations made pursuant to the appropriate  
9           concurrent resolution on the budget pursuant to sec-  
10          tion 302(a) and shall be in an amount not to exceed  
11          the amount reserved for emergencies pursuant to the  
12          requirements of subsection (b).

13          “(b) RESERVE FUND FOR NONMILITARY EMER-  
14          GENCIES.—The amount set forth in the reserve fund for  
15          emergencies for budget authority and outlays for a fiscal  
16          year pursuant to section 301(a)(4) shall equal—

17               “(1) the average of the enacted levels of budget  
18               authority for emergencies (other than those covered  
19               by subsection (c)) in the 5 fiscal years preceding the  
20               current year; and

21               “(2) the average of the levels of outlays for  
22               emergencies in the 5 fiscal years preceding the cur-  
23               rent year flowing from the budget authority referred  
24               to in paragraph (1), but only in the fiscal year for

1       which such budget authority first becomes available  
2       for obligation.

3       “(c) TREATMENT OF EMERGENCIES TO FUND CER-  
4 TAIN MILITARY OPERATIONS.—Whenever the Committee  
5 on Appropriations reports any bill or joint resolution that  
6 provides budget authority for any emergency that is a  
7 threat to national security and the funding of which car-  
8 ries out a military operation authorized by a declaration  
9 of war or a joint resolution authorizing the use of military  
10 force (or economic assistance funding in furtherance of  
11 such operation) and the report accompanying that bill or  
12 joint resolution, pursuant to subsection (d), identifies any  
13 provision that increases outlays or provides budget author-  
14 ity (and the outlays flowing therefrom) for such emer-  
15 gency, the enactment of which would cause the total  
16 amount of budget authority or outlays provided for emer-  
17 gencies for the budget year in the joint resolution on the  
18 budget (pursuant to section 301(a)(4)) to be exceeded:

19       “(1) Such bill or joint resolution shall be re-  
20       ferred to the Committee on the Budget of the House  
21       or the Senate, as the case may be, with instructions  
22       to report it without amendment, other than that  
23       specified in paragraph (2), within 5 legislative days  
24       of the day in which it is reported from the origi-  
25       nating committee. If the Committee on the Budget

1 of either House fails to report a bill or joint resolu-  
2 tion referred to it under this subparagraph within  
3 such 5-day period, the committee shall be automati-  
4 cally discharged from further consideration of such  
5 bill or joint resolution and such bill or joint resolu-  
6 tion shall be placed on the appropriate calendar.

7 “(2) An amendment to such a bill or joint reso-  
8 lution referred to in this subsection shall only consist  
9 of an exemption from section 251 of the Balanced  
10 Budget and Emergency Deficit Control Act of 1985  
11 of all or any part of the provisions that provide  
12 budget authority (and the outlays flowing therefrom)  
13 for such emergency if the committee determines,  
14 pursuant to the guidelines referred to in section 303  
15 of the Spending Control Act of 2004, that such  
16 budget authority is for an emergency within the  
17 meaning of section 3(11).

18 “(3) If such a bill or joint resolution is reported  
19 with an amendment specified in paragraph (2) by  
20 the Committee on the Budget of the House of Rep-  
21 resentatives or the Senate, then the budget authority  
22 and resulting outlays that are the subject of such  
23 amendment shall not be included in any determina-  
24 tions under section 302(f) or 311(a) for any bill,

1 joint resolution, amendment, motion, or conference  
2 report.

3 “(d) COMMITTEE NOTIFICATION OF EMERGENCY  
4 LEGISLATION.—Whenever the Committee on Appropria-  
5 tions or any other committee of either House (including  
6 a committee of conference) reports any bill or joint resolu-  
7 tion that provides budget authority for any emergency, the  
8 report accompanying that bill or joint resolution (or the  
9 joint explanatory statement of managers in the case of a  
10 conference report on any such bill or joint resolution) shall  
11 identify all provisions that provide budget authority and  
12 the outlays flowing therefrom for such emergency and in-  
13 clude a statement of the reasons why such budget author-  
14 ity meets the definition of an emergency pursuant to the  
15 guidelines referred to in section 303 of the Spending Con-  
16 trol Act of 2004.”.

17 (b) CONFORMING AMENDMENT.—The table of con-  
18 tents set forth in section 1(b) of the Congressional Budget  
19 and Impoundment Control Act of 1974 is amended by in-  
20 serting after the item relating to section 315 the following  
21 new item:

“Sec. 316. Emergencies.”.

22 **SEC. 306. APPLICATION OF SECTION 306 TO EMERGENCIES**  
23 **IN EXCESS OF AMOUNTS IN RESERVE FUND.**

24 Section 306 of the Congressional Budget Act of 1974  
25 is amended by inserting at the end the following new sen-

1 tence: "No amendment reported by the Committee on the  
2 Budget (or from the consideration of which such com-  
3 mittee has been discharged) pursuant to section 316(c)  
4 may be amended."

5 **SEC. 307. UP-TO-DATE TABULATIONS.**

6 Section 308(b)(2) of the Congressional Budget Act  
7 of 1974 is amended by striking "and" at the end of sub-  
8 paragraph (B), by striking the period at the end of sub-  
9 paragraph (C) and inserting "; and", and by adding at  
10 the end the following new subparagraph:

11 " (D) shall include an up-to-date tabulation  
12 of amounts remaining in the reserve fund for  
13 emergencies."